

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE GOOGLE INC. COOKIE PLACEMENT
CONSUMER PRIVACY LITIGATION

C.A. No. 1:12-MD-2358 (SLR)

This Document Relates to:

All Actions

MOTION TO DISMISS OF DEFENDANT VIBRANT MEDIA INC.

Defendant Vibrant Media Inc. (“Vibrant”), by and through its undersigned counsel, hereby moves pursuant to Rule 12 of the Federal Rules of Civil Procedure for an Order, substantially similar to the proposed order attached hereto, dismissing Plaintiffs’ claims against it under the Electronic Communications Privacy Act, 18, U.S.C. § 2510 *et seq.*, the Stored Communications Act, 18 U.S.C. § 2701 *et seq.*, and the Computer Fraud and Abuse Act, 18 U.S.C. § 1030, for failure to state a claim. The grounds for this motion are fully set forth in Vibrant’s Opening Brief In Support of Its Motion to Dismiss filed contemporaneously herewith.

/s/ Rudolf Koch

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